

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
DOUGLAS KLUGA,) CASE NO. 07-20212 JPK
) Chapter 13
Debtor.)

ORDER REGARDING MOTION TO ALLOW ADMINISTRATIVE CLAIM("MOTION")

The Motion was filed on November 3, 2008, by Wells Fargo Bank, N.A., as Trustee for Option One Mortgage Loan Trust 2000-B Asset-Backed Certificates, Series 2000-B. The record establishes that the debtor's plan provides for a creditor designated as Option One Mortgage Corporation, and that Option One filed a proof of claim on March 12, 2007, designated as claim No. 5-1. The record also establishes that on July 16, 2008, a Notice of Transfer of Claim No. 5 was filed by American Home Mortgage Servicing, Inc. This Notice was met with an order entered on July 16, 2008, which stated that it was defective. Nothing has been done in response to that order, and thus as far as the court's record is concerned, Option One is the mortgage creditor in this case, and no other. The Motion therefore fails to demonstrate an advance by a creditor recognized by the record and by the debtor's plan, and for that reason it must be denied.

IT IS ORDERED that the Motion is DENIED, without prejudice to refileing of the motion upon establishing that the movant is in fact entitled to enforce the terms of the instruments under which it made an advance.

Dated at Hammond, Indiana on December 11, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee
Attorney for creditor